

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARREN GILBERT,

Plaintiff,

v.

DE ARANJAN INC. dba VALERO GRIP
& GO, et al.,

Defendants.

No. 1:22-cv-0994 DAD DB

ORDER

On August 10, 2022, plaintiff commenced this action by filing a complaint and paying the applicable filing fee. (ECF No. 1.) On October 31, 2022, attorney Alonzo J. Gadford appeared on behalf of defendant De Aranjah Inc (“De Aranjah”). (ECF No. 11.) On September 28, 2023, plaintiff filed a notice to reschedule the hearing of plaintiff’s motion for default judgment against defendant De Aranjah Inc., for hearing before the undersigned on November 17, 2023, pursuant to Local Rule 302(c)(19). (ECF No. 44.)

Pursuant to Local Rule 230, attorney Gadford was to file a statement of opposition or non-opposition within 14 days. Attorney Gadford, however, failed to do so. Accordingly, on November 14, 2023, the undersigned issued an order to show cause within fourteen days. (ECF No. 51.) Attorney Gadford has not responded to the November 14, 2023 order.

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1 The undersigned has serious concerns about the status of defendant De Aranjah's
2 representation and knowledge of these proceedings.¹ These concerns must be addressed before
3 plaintiff's motion for default judgment can be resolved. Plaintiff's motion for default judgment
4 will, therefore, be denied without prejudice to renewal after attorney Gadford's status is resolved.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Attorney Gadford is again ordered to show cause in writing within fourteen days of the
7 date of this order as to why counsel should not be sanctioned for failing to file a timely statement
8 of opposition or non-opposition and for failing to comply with an order of this court;

9 2. Plaintiff's September 20, 2023 motion for motion for default judgment (ECF No. 43) is
10 denied without prejudice to renewal;

11 3. The December 15, 2023 hearing of plaintiff's motion is vacated;

12 4. The Clerk of the Court shall serve a copy of this order on attorney Gadford at the
13 following addresses in addition to electronic service:

14 1300 10th St
15 Ste G
16 Modesto, CA 95354

17 1202 H St.
18 Suite C
Modesto, CA 95354

19 5. Attorney Gadford is cautioned that the failure to timely comply with this order may
20 result in appropriate sanctions.

21 Dated: December 11, 2023

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25 DEBORAH BARNES
26 UNITED STATES MAGISTRATE JUDGE

27 DLB:6
28 DB/orders/orders.civil/gilbert0994.osc2

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28 ¹ It appears from the undersigned's own research that attorney Gadford is an active member of the state bar with an active website and phone number.